

REMARKS

Claims 1-12 are pending in the application. Claims 1 and 10 are herein amended. No new matter has been added.

Support for newly amended claims 1 and 10 may be found in the as-originally filed specification, for example see Figure 1.

Claim Rejections - 35 USC 5 §103

Claims 1, 2, 4 and 10-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Racich et al., U.S. Patent Number 4,591,512, of record (hereafter Racich) in view of Nakane et al., U.S. Patent Number 5,374,972, of record (hereafter Nakane). Applicants respectfully traverse this rejection.

The presently claimed invention is a method for producing a polarizing film and an apparatus for producing a polarizing film. A skilled artisan would have no reason for achieving a method or an apparatus for producing a polarizing film wherein each individual film of a plurality of films is horizontally aligned in a vertical fashion based on the disclosures of Racich in view of Nakane. Racich discloses a single film being processed in the method of making a light polarizer. The plurality of films of Nakane are horizontally aligned in a horizontal fashion. That is, the films are placed to the left or right of one another. However, in the presently claimed method, the films are aligned horizontally in a vertical fashion, *i.e.*, to the top or bottom of one another. Thus, the cited art does not render obvious at least this feature of the presently claimed invention.

Furthermore, neither Racich nor Nakane disclose, teach, suggest or provide any reason for having the films dipped into the processing liquid be horizontally aligned in a vertical fashion. When producing a polarizing film, the size of the film in the width direction thereof is likely to be changed since the films are expanded or contracted in the dipping step or stretching step. If the films are produced in a state where the films are horizontally aligned in a horizontal fashion, as seen in Nakane, the films may come into contact with each other due to width variation of the films. Due to the width variation of the films, one of ordinary skill in the art would need to secure a sufficient width of the producing apparatus, in order to avoid contact of the films with one another. Applicants herein submit a Declaration under 37 C.F.R. §1.132 with experimental data proving film width changes during the dipping step or stretching step. The Declaration proves the width of the film is affected by a dipping step and the width of the film is affected by a stretching step.

On the other hand, when the films are aligned horizontally in a vertical fashion, as recited in the presently claimed invention, the contact between the films may be avoided. A skilled artisan at the time of invention would not have found it obvious to achieve the presently claimed invention from the disclosure of the cited art. The horizontal alignment in a vertical fashion is a novel and unobvious feature over the cited art. Furthermore, the cited art provides no reason for a skilled artisan to achieve a horizontal alignment in a vertical fashion for each of the films of a plurality of films to achieve a polarizing film.

Claim Rejections - 35 USC 5 §103

Claims 3 and 5-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Racich et al., U.S. Patent Number 4,591,512, of record (hereafter Racich) in view of Nakane et al., U.S. Patent Number 5,374,972, of record (hereafter Nakane) as applied to claims 1, 2, 4 and 10-12 above, and further in view of Kondo et al., U.S. Patent Application Publication Number 2002/0182427 A1, of record (hereafter Kondo). Applicants respectfully traverse this rejection.

Racich in view of Nakane fails to render obvious the presently claimed invention. The deficiencies of Racich in view of Nakane are not overcome by the disclosure of Kondo.

Thus, the combined reading of the cited art fails to render the presently claimed invention obvious.

Favorable reconsideration is earnestly solicited.

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the rejections under 35 U.S.C. §103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

Application No.: 10/573,646
Art Unit: 2872

Amendment
Attorney Docket No.: 062338

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

/BERNADETTE K. MCGANN/

Bernadette K. McGann
Attorney for Applicants
Registration No. 65,127
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

SGA/BKM/bam

Enclosed: Declaration under 37 C.F.R §1.132